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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,489	12/28/2000	James A. Salomon	F-153	3235
919	7590	05/31/2005		
PITNEY BOWES INC. 35 WATERVIEW DRIVE P.O. BOX 3000 MSC 26-22 SHELTON, CT 06484-8000			EXAMINER COLILLA, DANIEL JAMES	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/751,489

Applicant(s)

SALOMON ET AL.

Examiner

Daniel J. Colilla

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-20 and 22 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2000 and 11 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 19 and 21 are objected to because of the following informalities:

Claim 19 depends from a canceled claim (claim 9).

In claim 21, line 1, it appears that "wide" should actually be --wider--.

Appropriate correction is required.

Note: Prior art could not be applied to claim 19 since it depends from a canceled claim.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Magee.

With respect to claim 1, Magee discloses a double belt transport system having an upstream end and a downstream end and an upper belt 18a and a lower belt 16a as shown in Figure 2 of Magee. The upstream belt has a straight section between rollers 28 and 30. The lower belt has an upper span below roller 24 and the belt extends beyond both ends of the upper belt 18a. The upper belt 18a and the lower belt 16a form a soft wedge shaped ingest nip for transporting articles to be printed. The straight section of the upper belt forms a registration plane

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for the print head 34 and can be considered adjacent to the printing area particularly when viewing Figure 2 of Magee.

With respect to claim 4, Magee discloses upstream and downstream rollers 28 and 30 respectively. These rollers define a tangent plane that is parallel to the registration plane and they press against the belt 18a defining the straight section of the belt 18a.

With respect to claims 5, Magee discloses a deck 12 which has an upstream portion adjacent to the ingest nip and which supports articles to be printed as they enter the ingest nip.

With respect to claim 6, Magee discloses motor 20 for driving the belts 16a and 18a.

With respect to claim 8, Magee discloses a conventional ink jet head 34 which, being conventional, would have more than one nozzle for printing.

4. Claims 11-16 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Coudray et al.

With respect to claim 11, Coudray et al. discloses a printer (*note print head 34*) with a double belt transport system including an upper looping belt 9 and a lower looping belt 10. The belts form a straight section between rollers 12 and 16 such that they define a registration plane for print head 34 as shown in Figure 4 of Coudray et al. The lower belt has an upper span located between rollers 18 and 22 forming a soft wedge shaped ingest nip with the straight section of the upper belt as shown in Figure 4. Since rollers press the lower belt upwards against the mailpiece 2 and the upper belt 9, a normal force is applied between the mailpiece 2 and the upper belt 9. Friction is inherent in contact between any surfaces. Coudray et al. further discloses that a straight section of the upper belt 9 above the mail intake section of the lower belt 10 form the ingest nip as shown in Figure 4 of Coudray et al.

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With respect to claim 12, Coudray et al. discloses a lifting mechanism 19-26 as shown in Figure 4.

With respect to claim 13, Coudray et al. discloses a reference surface 35 which faces the lifting mechanism such that the mailpiece is urged against it in the printing area (col. 6, lines 5-8).

With respect to claim 14, Coudray et al. discloses pulleys 19 and 22 which define a tangent plane parallel to the registration plane and press against the upper belt 10 through the lower belt 9.

With respect to claim 15, Coudray et al. discloses a deck 7 which supports the mailpiece 2 as it enters the ingest nip.

With respect to claim 16, Coudray et al. discloses motor 17 for driving belts 9 and 10 at the same speed so shearing forces are reduced (col. 4, lines 53-67).

With respect to claims 18 and 20, Coudray et al. discloses a tensioning idler 19 for the lower belt 10 and the method of using the idler 19 as shown in Figure 4 and disclosed in col. 4, lines 24-36) of Coudray et al.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Magee in view of Coudray et al.

With respect to claim 2, Magee discloses the claimed double belt transport system except for the lifting mechanism. However, Coudray et al. teaches a lifting mechanism 19-26 as shown in Figure 4. It would have been obvious to combine the teaching of Coudray et al. with the double belt transport system disclosed by Magee for the advantage of allowing the printing of articles with different thicknesses.

With respect to claim 3, Coudray et al. discloses a reference surface 35 which faces the lifting mechanism such that the mailpiece is urged against it in the printing area (col. 6, lines 5-8).

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Magee applied to claims 1, 4-6 and 8 above, and further in view of Wataya et al.

Magee discloses the claimed double belt transport system except for the velocity measurement mechanism. However Wataya et al. teaches a speed detector 1 which measures the speed of belt 54. It would have been obvious to combine the teaching of Wataya et al. with the transport system disclosed by Magee for the advantage of synchronizing the registration of different colors that are being printed.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coudray et al. as applied to claims 11-16, 18 and 20 above, and further in view of Wataya et al.

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Coudray et al. discloses the claimed printer except for the velocity measurement mechanism. However Wataya et al. teaches a speed detector 1 which measures the speed of belt 54. It would have been obvious to combine the teaching of Wataya et al. with the printer disclosed by Coudray et al. for the advantage of synchronizing the registration of different colors that are being printed.

9. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coudray et al. as applied to claims 11-16 and 18-20 above, and further in view of Simonotti et al.

Coudray et al. discloses the claimed printer except for the second lower belt located inbound of the printing area. However, Simonotti et al. teaches a printer with first and second lower belts 22 as shown in Figures 1 and 2 of Simonotti et al. (Simonotti et al., col. 2, lines 5-7 and lines 20-24). Figure 2 of Simonotti et al. shows that the belts 22 support the object being printed at locations adjacent a printing area defined by printer 59. It would have been obvious to combine the teaching of Simonotti et al. with the printer disclosed by Coudray et al. for the advantage of the keyboard 10 and display 9 taught by Simonotti et al. for allowing a user to compose the text and/or image that is to be printed.

Allowable Subject Matter

10. Claim 21 is objected to for the above mentioned informality but would be allowable if rewritten to overcome the objection.

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11. The following is a statement of reasons for the indication of allowable subject matter:

Claim 21 has been indicated as containing allowable subject matter primarily for the lower belt being wider than the upper belt.

Response to Arguments

12. Applicant's has filed no new arguments regarding the prior art rejection. The amendment to the claims does not appear to address any prior art issues and therefore the response to applicant's arguments regarding the prior art rejection in the Office action mailed on 5/16/03 still apply.

Some language has been adjusted in the above rejection to match the new terminology used in the claims, and prior art has been applied to new claim 22.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Colilla whose telephone number is (571) 272-2157. The examiner can normally be reached Mon.-Thur. between 7:30 am and 5:00 pm. Faxes regarding this application can be sent to (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached at (571) 272-2168. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 18, 2005



Daniel J. Colilla
Primary Examiner
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